

**IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MISSOURI  
SOUTHWESTERN DIVISION**

United States of America,	)	
	)	
Plaintiff,	)	
vs.	)	Case No. 06-5041-01-CR-SW-FJG
Cecil Williams,	)	
	)	
Defendant.	)	

**ORDER**

On January 31, 2007, this Court entered an order (Doc. #36) denying defendant's motion to suppress tangible evidence and statements (Doc. #16, October 16, 2006). The order incorporated by reference Chief Magistrate William C. England's findings and conclusions as found in his report and recommendation (Doc. #34, January 12, 2007) and was based upon a thorough review of the record.

Now before the Court is defendant's request for a hearing pursuant to Franks v. Delaware, 438 U.S. 154 (1978) (Doc. #67, April 27, 2007), the government's opposition (Doc. #71, May 29, 2007) and the defendant's response (Doc. #73, May 31, 2007).

Chief Magistrate England held a Franks hearing on July 12, 2007, and entered a supplemental report and recommendation (Doc. #78) on August 1, 2007, which recommended that defendant's motion to dismiss be denied. Defendant filed objections to the supplemental report and recommendation (Doc. #79) on August 16, 2007. Accordingly, it is

ORDERED that the Chief Magistrate's findings and conclusions are hereby adopted and incorporated herein by reference.

/s/Fernando J. Gaitan, Jr. \_\_\_\_\_  
Judge Fernando J. Gaitan, Jr.  
Chief United States District Judge

Dated: 8/23/07  
Kansas City, Missouri